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C O N F I D E N T I A L CAIRO 004355

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NEA/PD FOR FRANK FINVER

E.O. 12958: DECL: 07/13/2016

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SUBJECT: MUBARAK INTERVENES: NO JAIL FOR JOURNALISTS

Classified By: DCM Stuart Jones for reasons 1.4 (b) and (d)

1. (SBU) Summary: Journalists expressed relief after President Mubarak,s last-minute intercession with the People,s Assembly on June 11 to strike prison sentences for reporters who expose corruption from proposed legislation. But the amendments to the penal code raise fines for defaming public figures or officials beyond what most journalists can afford. And they can still be jailed for defaming the President. Happy not to be threatened with jail, most of our journalist contacts still wonder why this step forward for press freedom took extraordinary intervention by Mubarak. In the end, the press law is neither a reform measure not a step backward. Mubarak has fulfilled his promise to eliminate jail sentences for journalists convicted of libel. The stiff fines will continue to chill some reporting. End summary.

Do Not Go to Jail

2. (U) At midday on June 10 President Mubarak called from his vacation in Alexandria to instruct Speaker Fathi Sourour of the People,s Assembly to strike the controversial article 303 from the penal code amendments known as the &press law8 proposed by the cabinet. The amendments would have imposed prison sentences on reporters who falsely accuse officials or public figures of corruption. For the past week the Journalist Syndicate and most editorialists had decried the proposed legislation as the kiss of death for investigative journalism, which in recent years has scored several successes in exposing corrupt practices by Egyptian officials and businessmen. On July 9, several independent papers went on strike and all week the non-government press was full of attacks on President Mubarak, accusing him of renegeing on his promise two years ago to eliminate jail sentences for journalists.

But Pay 20 to 40 Thousand Pounds

3. (U) While dropping jail sentences, the amendments raise fines for false or defamatory reporting to 20 to 40 thousand Egyptian Pounds (USD 3500-7000), and shift the burden of paying from the publication and its editor to the reporter. Most Egyptian journalists earn less than a thousand pounds per month and they are now debating what the legal consequences would be if a reporter cannot pay a fine. According to press commentaries, many of the smaller, independent papers would fold if they assumed their reporters, fines.

Grudging Thanks to Mubarak, Scorn for the Assembly

4. (SBU) Our journalist contacts say that the need for Mubarak,s intervention to kill legislation that they claim would have sheltered corruption is yet another sign that institutions like the cabinet and People,s Assembly ignore the people and cater to corrupt politicians and officials. Some likened the President,s intercession in the press issue to his intervention last week when he passed a schoolgirl who was flunked for blaming Mubarak and the U.S. for Egypt,s economic ills. The institutions are broken, they maintain, except when it comes to making the President look good.

Comment

5. (C) In the final analysis, the press law is neither a reform measure or a step backward. It serves a useful purpose in eliminating jail sentences for journalists convicted of libel. There is still a culture of corruption in the press itself. Many journalists publish defamatory articles for money. And the law will continue to hold them accountable. But over all there will be a chill in criticizing Mubarak and other senior officials.

